

JODI LINKER
Federal Public Defender
Northern District of California
SAMANTHA JAFFE
Assistant Federal Public Defender
13th Floor Federal Building - Suite 1350N
1301 Clay Street
Oakland, CA 94612
Telephone: (510) 637-3500
Facsimile: (510) 637-3507
Email: Samantha_Jaffe@fd.org

Counsel for Defendant MORGAN

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL MORGAN,

Defendant.

Case No.: CR 24–00134 JST

**STIPULATION AND ORDER TO
CONTINUE AND CONVERT
STATUS HEARING TO
ARRAIGNMENT ON APRIL 5, 2024
AND TO EXCLUDE TIME**

Hearing Date: March 13, 2024

Hearing Time: 10:30 a.m.

The above-captioned matter is set on March 13, 2024 at 10:30 a.m. for arraignment. The parties jointly request that the Court continue this matter to April 5, 2024 and that the Court exclude time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) until April 5, 2024.

Mr. Morgan is charged with mail theft and theft of mail keys. The parties have been negotiating and defense counsel has been reviewing discovery with Mr. Morgan. The parties have to come to an agreement in principle, and the government is working on supervisory approval: because Mr. Morgan is vision-impaired and lives out of District, defense counsel is trying to limit court appearances if possible. Additional time will allow for the agreement to be finalized.

The parties stipulate and agree that the ends of justice served by this continuance outweigh the

1 best interest of the public and the defendant in a speedy trial. The parties agree also that the failure to
2 grant this continuance would deny counsel for Mr. Morgan the reasonable time necessary for
3 effective preparation, taking into account the exercise of due diligence. Accordingly, the parties agree
4 that the period of time between March 13, 2024, through April 5, 2024, should be excluded in
5 accordance with the provisions of Fed. R. Crim. P. 5.1 and the Speedy Trial Act, 18 U.S.C. §§
6 3161(h)(7)(A) and (B)(iv), for effective preparation of defense counsel, taking into account the
7 exercise of due diligence.

8
9
10
11 Dated: March 11, 2023

Respectfully submitted,

12 JODI LINKER
13 Federal Public Defender
Northern District of California

14 /S/

15 SAMANTHA JAFFE
16 Assistant Federal Public Defender

17
18 Dated: March 11, 2023

19 ISMAIL J. RAMSEY
20 United States Attorney
Northern District of California

21 /S/

22 ZACHARY GLIMCHER
23 Assistant United States Attorney
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL MORGAN,

Defendant.

Case No.: CR 23-000134 JST

**ORDER TO CONTINUE STATUS
HEARING AND CONVERT TO
ARRAIGNMENT**

Based on the agreement of the parties in the stipulation above, the status hearing regarding preliminary hearing and arraignment presently set for March 13, 2024, at 10:30 a.m., is vacated. This matter is reset and converted to an arraignment on April 5, 2024, at 10:30 a.m.

Based upon the facts set forth in the stipulation of the parties and for good cause shown, the Court finds that failing to exclude the time from March 13, 2024 through April 5, 2024 would unreasonably deny defense counsel and the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice are served by excluding the time from March 13, 2024 through April 5, 2024 from computation under Fed. R. Crim. P. 5.1.

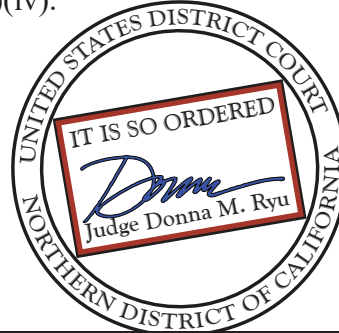
//

//

1 Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from
2 March 13, 2024 through April 5, 2024 shall be excluded from computation under Fed. R. Crim. P. 5.1
3 and the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

4
5
6 IT IS SO ORDERED.

7
8 Dated: March 12, 2024



9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

HON. DONNA M. RYU
Chief United States Magistrate Judge